

EXHIBIT A

1 LYNN V. RIVERA, ESQ.
NEVADA BAR NO. 6797
2 STEPHEN S. KENT, ESQ.
NEVADA BAR NO. 1251
3 **GORDON REES SCULLY MANSUKHANI, LLP**
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Attorneys for Defendant
7 PETCO ANIMAL SUPPLIES STORES, INC.

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10 UNITED STATES DISTRICT COURT

11 STATE OF NEVADA, RENO

12 BILLIE CHAPMAN,

Case No.

13 Plaintiff,

14 v.

**DECLARATION OF LYNN RIVERA
ISO DEFENDANT PETCO ANIMAL
SUPPLIES STORES, INC.'S PETITION
FOR REMOVAL**

15 PETCO ANIMAL SUPPLIES STORES,
INC.; JOHN DOES I through X, Inclusive;
16 ABC CORPORATIONS I-X; BLACK AND
WHITE COMPANIES, I-X; and JOHN
17 DOES I-X, inclusive;

18 Defendants.

19 I, Lynn Rivera, declare:

20 1. I am an attorney licensed to practice in the State of Nevada and admitted to
21 practice before the United States District Court for the District of Nevada. I am a Senior
22 Counsel at Gordon & Rees LLP and represent Defendant Petco Animal Supplies Stores,
23 Inc. ("Petco") in this action. The following is based on my personal knowledge and, if
24 called as a witness, I would testify competently thereto.

25 2. Plaintiff's Complaint was filed in the Second Judicial District Court in Washoe
26 County, Nevada on August 5, 2021. A true and correct copy of Plaintiff's complaint is
27 attached hereto as Exhibit 1.
28

1 3. Petco is a defendant in a civil action pending in the Second Judicial District
2 Court of the Washoe County, Nevada entitled Billie Chapman v. Petco Supplies Stores,
3 Inc. Case No. CV21-01450. See Exhibit 1, ¶¶ 9-16.

4 4. Plaintiff alleges one cause of action for negligence against Petco. See
5 Exhibit 1, ¶¶ 9-16.

6 5. Plaintiff alleges she was injured while inside a Petco store located at 5565
7 South Virginia Street in Reno, Washoe County, Nevada. Specifically, Plaintiff alleges she
8 was struck suddenly by a large pallet mover loaded with heavy bags of dog food and fell on
9 the ground. See Exhibit 1, ¶¶ 9-16.

10 6. Petco was served with the summons and complaint on August 6, 2021.

11 7. Petco filed a timely answer to the Plaintiff's complaint in the Second Judicial
12 District Court on August 26, 2021. A true and correct copy of Petco's Answer to Plaintiff's
13 complaint is attached hereto as Exhibit 2.

14 8. Plaintiff alleges in the Complaint she is a resident of Washoe County, Nevada.
15 See Rivera Dec., Exhibit A, ¶ 1.

16 9. Plaintiff alleges Defendant Petco was s a foreign corporation doing business in
17 Nevada. See Rivera Dec., Exhibit A, ¶ 5.

18 10. Defendant Petco is, in fact, a citizen of the state of California. Specifically,
19 Petco is incorporated under the laws of the State of Delaware with its corporate headquarters
20 and principal place of business is located in San Diego, California.

21 11. Petco's executive officers and senior managers were and are located at Petco's
22 corporate headquarters in San Diego. At all times material hereto, Petco's managerial and
23 policymaking functions, including, but not limited to, finance, marketing, merchandising, legal,
24 technology services, store operations, human resources, and property development, were and
25 are performed at and promulgated from San Diego, California.

26 12. Prior to service of the Complaint, Petco received a confidential settlement
27 demand from Plaintiff affording it notice the amount in controversy in this matter exceeded
28

1 \$75,000.

2 13. On August 27, 2021, Plaintiff filed a petition for exemption for arbitration
3 alleging \$36,752.90 in past medical bills and \$193,336.86 in future medical damages again
4 noticing Petco the amount in controversy exceeded \$75,000. (A true and correct copy of the
5 Petition for the Exemption from Arbitration is attached hereto at Exhibit 3).

6 I declare under penalty of perjury under the laws of the State of Nevada and the
7 United States of America that the foregoing is true and correct and that this declaration
8 was executed on September 7, 2021 at Reno, Nevada.

9 DATED: September 7, 2021
10

11 GORDON & REES LLP
12

13 By /s/ Lynn V. Rivera
14 LYNN V. RIVERA, ESQ.
15 NEVADA BAR NO. 6797
16 301 W. Liberty, Ste. 320
17 Reno, Nevada 89501
Attorneys for Defendant
PETCO ANIMAL SUPPLIES
STORES, INC.

18 4837-2747-8991, v. 1
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CERTIFICATE OF SERVICE

Billie Chapman v. Petco Animal Supplies Stores, Inc.

United States District Court, District of Nevada Case No. _____

Pursuant to FRCP 5(b), I certify that I am an employee of Gordon & Rees LLP and on this date, I caused the foregoing:

DECLARATION OF LYNN RIVERA ISO PETCO'S PETITION FOR REMOVAL

to be served on all parties to this action by:

☒ **BY E-FILING** (USDC, District Court, District of Nevada): I caused such document(s) to be sent electronically to the court; electronic filing constitutes service upon the parties who have consented to electronic service.

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Attorneys for Plaintiff
BILLIE CHAPMAN

Dated: September 7, 2021

/s/ Holly Mitchell
An employee of Gordon & Rees LLP